

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

MARTHA DAVIS,

Plaintiff,

v.

MUTUAL OF OMAHA INSURANCE
COMPANY,

Defendant.

Case No. 1:22-cv-00685-JLT-SAB

ORDER RE: STIPULATED MOTION TO
MODIFY SCHEDULING ORDER

ORDER REQUIRING PARTIES TO SUBMIT
REQUEST FOR SETTLEMENT
CONFERENCE WITHIN SEVEN DAYS

(ECF Nos. 12, 22)

A scheduling order for this matter issued on September 16, 2022, and has not been modified. (ECF No. 12.) Pursuant to the scheduling order, non-expert discovery closes July 28, 2023; expert discovery closes November 3, 2023; the dispositive motion deadline is December 1, 2023; a pretrial conference is set for May 3, 2024; and a trial is set for July 8, 2024, before District Judge Thurston. (Id.)

On June 23, 2023, the parties filed a stipulated motion to modify the scheduling order by extending discovery deadlines and the dispositive motion filing deadline by approximately sixty (60) days. (ECF No. 22.) The parties proffer that numerous depositions have been completed; that there are discovery disputes that have been informally resolved and withdrawn; that potential discovery issues remain subject to further informal discussion and potential forthcoming motions if necessary; that the Plaintiff has a motion for leave to amend set for hearing on July 26, 2023;

1 and that the parties have submitted a request for a settlement conference. (*Id.* at 2-3.)

2 The Court finds good cause to grant the stipulated motion. However, while the parties
3 proffer the extension of the deadlines and dispositive motion filing deadline do not effect the
4 pretrial conference and trial dates, they do in fact need to be adjusted due to the impacted
5 schedule of the District Judge. Further, while as a basis for the request the parties' filed
6 stipulation and separate declaration of counsel affirm that a request for a settlement conference
7 has already been submitted to the Court on June 23, 2023, no such request has been docketed with
8 the Court. Therefore, the Court shall require the parties to file such stipulated request for a
9 settlement conference within seven (7) days of entry of this order modifying the scheduling order.

10 Accordingly, pursuant to the stipulation of the parties and good cause appearing, IT IS
11 HEREBY ORDERED that the parties' stipulated motion to modify the schedule (ECF No. 22) is
12 GRANTED, and the scheduling order (ECF No. 12) is modified as follows:

- 13 1. Non-Expert Discovery Deadline: **September 29, 2023**;
- 14 2. Expert Disclosure Deadline: **November 1, 2023**;
- 15 3. Supplemental Expert Disclosure Deadline: **December 8, 2023**;
- 16 4. Expert Discovery Deadline: **January 12, 2024**;
- 17 5. Dispositive Motion Deadline: **February 5, 2024**;
- 18 6. Pretrial Conference: **August 5, 2024, at 1:30 p.m.**, in Courtroom 4, before District
19 Judge Jennifer L. Thurston; and
- 20 7. Trial: **October 1, 2024, at 8:30 a.m.**, in Courtroom 4, before District Judge
21 Jennifer L. Thurston.

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1 IT IS FURTHER ORDERED that the parties shall file a stipulated request to set a
2 settlement conference in this matter, within seven (7) days of entry of this order.¹
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4 IT IS SO ORDERED.

5 Dated: June 26, 2023


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10 UNITED STATES MAGISTRATE JUDGE

¹ The parties may contact the Courtroom Deputy to obtain available dates and times for a settlement conference.